

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ADAM D. WHITE,

Plaintiff,

-against-

SHOLEM KLEIN, THE CITY OF NEW YORK, NEW
YORK CITY POLICE DEPARTMENT ("NYPD")
SERGEANT LEIGHTON BARRETT, NYPD
SERGEANT KURT KLENKE, NYPD OFFICER
AHMED ALI, NYPD OFFICER PALAKPREET KAUR,
NYPD OFFICER ADAM PHILLIPS, NYPD OFFICER
CARLOS REBOLLEDOCORTES, AND NYPD
OFFICER IKRAM ULLAH,

Defendants.
-----X

**DECLARATION
OF SERVICE**

**23-cv-06924
(RER)(MMH)**

GIDEON ORION OLIVER hereby declares under penalties of perjury:

1. I am over 18 years of age and not a party to this action.
2. On March 5, 2025, I served the attached March 5, 2025 letter accepting the Rule 68 Offer of Judgment dated February 21, 2025 from Defendant Sholem Klein that is attached to the letter on Defendant Klein by e-mailing true and correct copies of the same to opposing counsel, Hector M. Roman, Esq., at the e-mail address in his Notice of Appearance in this case.
3. Mr. Roman responded by e-mail, acknowledging receipt and accepting service by e-mail.

Dated: Brooklyn, New York
March 5, 2025





Gideon Orion Oliver

—ATTORNEY AT LAW—

He/him/his

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**Not for service*

March 5, 2025

BY E-MAIL AS A .PDF

Hector M. Roman, Esq.
Law Office of Hector M. Roman, P.C.
108-14 Jamaica Avenue
Richmond Hill, NY 11418

Re: Adam White v. Sholem Klein, et al., 23-cv-6924 (RER)(MMH)

Dear Mr. Roman:

Mr. White accepts Defendant Klein's Rule 68 Offer of Judgment dated February 21, 2025, a copy of which is attached.

I will contact you separately regarding the outstanding claims for attorney's fees and costs to see if we can reach a stipulation that would avoid the need for a formal application to the Court.

Yours,

Gideon Orion Oliver

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ADAM D. WHITE,

Plaintiff,

-against-

23-CV-6e24 (RER)(MMH)

**RULE 68
OFFER OF JUDGMENT**

SHOLEM KLEIN, THE CITY OF NEW YORK,
NEW YORK CITY POLICE DEPARTMENT ("NYPD")
SERGEANT LEIGHTON BARRETT, NYPD
SERGEANT KURT KLENKE, NYPD OFFICER
AHMED ALI, NYPD OFFICER PALAKPREET
KAUR, NYPD OFFICER ADAM PHILLIPS,
NYPD OFFICER CARLOS REBOLLEDOCORTES,
and NYPD OFFICER IKRAM ULLAH,

Defendants.
-----X

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant SHOLEM KLEIN hereby offers to allow plaintiff Adam D. White to take a judgment against Sholem Klein in this action for the total sum of Four Thousand and One (\$4,001.00) Dollars, plus reasonable attorneys' fees, expenses, and costs to the date of this offer for plaintiff's federal claims.

This judgment shall be in full satisfaction of all federal and state law claims or rights that plaintiff may have to damages, or any other form of relief arising out of the alleged acts or omissions of defendant Sholem Klein or any agent, either past or present, of Sholem Klein in connection with the facts and circumstances that are the subject of this action.

This offer of judgment may only be accepted by written notice within 14 days after being served.

This offer of judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by defendant Sholem Klein; nor is it an admission that plaintiff has suffered any damages.

Acceptance of this offer of judgment will act to release and discharge defendant Sholem Kleins, his successors or assigns, and agents from any and all claims that were or could have been alleged by plaintiff arising out of the facts and circumstances that are the subject of this action.

Acceptance of this offer of judgment also will operate to waive plaintiff's rights to any claim for interest on the amount of the judgment.

Pursuant to Rule 68, if Plaintiff does not accept this Offer in writing within fourteen (14) days of service, this Offer shall be deemed withdrawn. Should Plaintiff proceed to trial and fail to obtain a judgment more favorable than this Offer, Plaintiff shall be responsible for all costs incurred by Klein after the date of this Offer.

Plaintiff Adam D. White agrees that payment of Four Thousand and One (\$4,001.00) Dollars within ninety (90) days of the date of acceptance of the offer shall be a reasonable time for such payment, unless plaintiff received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part. If plaintiff Adam D. White is a Medicare recipient who received medical treatment in connection with the claims in this case, the ninety (90) day period for payment shall start to run from the date plaintiff submits to counsel for defendants Sholem Klein a final demand letter from Medicare.

By acceptance of this Rule 68 Offer of Judgment, plaintiff Adam D. White agrees to resolve any claim that Medicare may have for reimbursement of conditional payments it has made as secondary payer, and a Medicare Set-Aside Trust shall be created, if required by 42 U.S.C. section 1395y(b) and 42 C.F.R. sections 411.22 through 411.26. Plaintiff Adam D. White further agrees to hold harmless defendant Sholem Klein, his representatives and agents regarding any past and/or future Medicare payments, presently known or unknown, made in connection with this matter.

The judgment shall contain and recite the terms and conditions set forth herein.

Dated: Richmond Hill, New York
February 21, 2025

Law Office of Hector M. Roman, P.C.

By Hector M. Roman
Hector M. Roman, Esq.
Attorneys for Defendant Sholem Klein
108-14 Jamaica Avenue
Richmond Hill, New York 11418
(718) 533-8444

To: Gideon Orion Oliver, Esq.
Attorneys for Plaintiff
277 Broadway, Suite 1501
New York, NY 10007
Via regular mail and email